

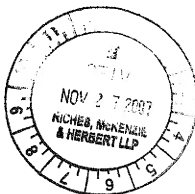


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November 21, 2007

**RICHES, MCKENZIE & HERBERT LLP**

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**Application No.** : **2,459,779**  
**Owner** : DISCOVERY COMMUNICATIONS, INC.  
**Title** : **ELECTRONIC BOOK SELECTION AND DELIVERY SYSTEM  
HAVING TEXT IN MULTIPLE FORMATS**  
**Classification** : G06F 3/14 (2006.01)  
**Your File No.** : **P17704**  
**Examiner** : Tanya Novo-Verde

**YOU ARE HEREBY NOTIFIED OF :**

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

IN ORDER TO AVOID **MULTIPLE ABANDONMENTS** UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY TO **EACH REQUISITION** MUST BE RECEIVED WITHIN **6** MONTHS AFTER THE ABOVE DATE.

This application has been examined taking into account applicant's correspondence received in this office on April 16, 2004.

The number of claims in this application is 20.

The examiner has identified the following defects in the application:

Reference Applied:  
WIPO Patent Application

D1: WO 94/01964

20 January, 1994

Craig

NOV 29 2007  
Canada

OPIC  CIPQ

### **Obviousness**

Claims 1 to 20 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which it pertains having regard to D1.

As to claim 1, D1 describes a method for providing electronic books (page 2 line 5), comprising:

- receiving text material in a plurality of formats (page 8 lines 22-24: "*multi-media data...text*"; Figure 3A item 210);
- converting the text material in the plurality of formats to a standard format (page 22 lines 9-10: "*simplified form of MPEG encoding is performed*"; Figure 3B items 390 and 392);
- storing in the standard format (page 8 line 27: "*storage format is MPEG encoded*"; Figure 2 "*Video/ Image/ Data Storage*" items); and
- selectively providing data to subscribers in the standard format (page 8 lines 7-8, lines 14-17: "*distribution of...text selections to...processor*").

Even though D1 does not describe specifically the invention providing the data via a viewer, it does describe a functional equivalent wherein the data is displayed in a subscriber's viewing location (page 23 line 15; Figure 1 item 120).

As to claim 11, it is objected to as per the objections raised for claim 1. In addition to those points D1 does not specifically describe an operations center for electronically communicating with viewers for providing electronic books but it does describe a functional equivalent whereby a media server receives, stores and displays the data (abstract: "*receives...data*"; page 27 lines 10-11: "*data storage means*"; page 27 lines 18-20: "*transmitting...end users*").

Dependent claims 2-10 and 12-20 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims do not define any additional features that would distinguish them from D1 and the common general knowledge in the art, hence the subject matter is deemed obvious.

### **Description**

In accordance with subsection 137(2) of the *Patent Rules*, all documents referred to in the description of an application must be available to the public. Reference to the document on page 28, lines 14-15 must be deleted or replaced by its corresponding patent number or publication number.

**Section 29 of the Patent Rules requisition**

Under section 29 of the *Patent Rules*, the applicant is requisitioned to provide:

- identification of any prior art cited in respect of the United States Patent and Trademark Office, and European Patent Office applications describing the same invention on behalf of the applicant or on behalf of any other person claiming under an inventor named in the present application, and the patent numbers, if granted, subsequent to the International Search Report under paragraph 29(1)(a) of the *Patent Rules*;
- a copy of any related non-patent documents cited during the prosecution of these applications, under subsection 29(1) of the *Patent Rules*;
- a translation of a document or a part of a document into English or French, where a document is a reference cited which is not in either English or French and is not a patent reference having corresponding patent family members in either English or French, when the applicant has to provide a document to the Office, under paragraph 29(1)(d) of the *Patent Rules*.

To satisfy this requisition, applicant should provide all the preceding information or documents, or provide in accordance with subsection 29(3) of the *Patent Rules* a statement of reasons why any information or document is not available or known.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

Under section 34 of the *Patent Rules*, any amendment made in response to this requisition must be accompanied by a statement explaining the nature thereof, and how it corrects each of the above identified defects.

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819-934-4891